

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CATHERINE E. BRITTON,)	
)	
Plaintiff,)	
)	1:05CV64
v.)	
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

O-R-D-E-R

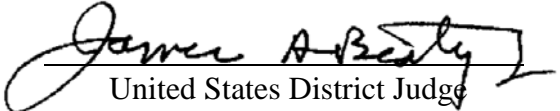
On December 6, 2006, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action and a copy was given to the court.

Within the time limitation set forth in the statute, counsel for Plaintiff objected to the Recommendation.¹

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

¹ The court notes that, in her Objections to the Recommendation, Plaintiff complains that the ALJ's limitations on movements of the hands must includes handling. See Objections, p. 3. In Plaintiff's summary judgment brief, however, she complained about limitations on "movements of the hands," see Plaintiff's Br. Sup. Mot. S.J., p.. 4, and made no complaint about handling. Moreover, the court agrees that the Recommendation properly addressed the ALJ's prohibition on frequent, repetitive movement of the hands.

IT IS THEREFORE ORDERED that the Plaintiff's motion for summary judgment [Pleading no. 11] be **DENIED**, that the Commissioner's motion for judgment on the pleadings [Pleading no. 13] be **GRANTED**, that the Commissioner's decision is **AFFIRMED**, and that this action be dismissed with prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.


United States District Judge

DATE: February 26, 2007